

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BUNGE-SCF GRAIN, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 11-57
	)	(Air Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Carol Webb, Esq.
Assistant Clerk	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
James R. Thompson Center	1021 North Grand Avenue East
100 West Randolph, Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION TO WITHDRAW PETITION FOR REVIEW**, a copy of which is herewith served upon you.

Respectfully submitted,

BUNGE-SCF GRAIN, LLC,  
Petitioner,

Dated: February 10, 2012

By: /s/ Lauren C. Lurkins  
One of Its Attorneys

Katherine D. Hodge  
Lauren C. Lurkins  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Lauren C. Lurkins, the undersigned, hereby certify that I have served the attached MOTION TO WITHDRAW PETITION FOR REVIEW upon:

John T. Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on February 10, 2012; and upon:

Carol Webb, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, Illinois 62794-9274

Thomas E. Davis, Esq.  
Chief of Environmental Bureau  
Office of the Illinois Attorney General  
500 South Second Street  
Springfield, Illinois 62706

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on February 10, 2012.

/s/ Lauren C. Lurkins

Lauren C. Lurkins

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**MOTION TO WITHDRAW PETITION FOR REVIEW**

NOW COMES Petitioner, BUNGE-SCF GRAIN, LLC (“SCF”), a Delaware Limited Liability Company, by and through its attorneys, HODGE DWYER & DRIVER, and hereby moves to withdraw its Petition for Review (“Petition”) of the Construction Permit issued to SCF by the Illinois Environmental Protection Agency (“Illinois EPA”) on January 27, 2011 (“Construction Permit”). In support of this Motion, SCF states as follows:

1. SCF proposes to construct a new Grain and Dry Bulk Commodity River Terminal located at 651 North Front Street, Fairmont City, St. Clair County, Illinois (“Terminal”).
2. In October 2010, SCF submitted to Illinois EPA a Construction Permit Application for the Terminal project.
3. On January 17, 2011, SCF submitted to Illinois EPA an Addendum to the Construction Permit Application for the Terminal project.
4. On January 27, 2011, without allowing SCF an opportunity to review a draft, Illinois EPA issued the Construction Permit to SCF for construction of the Terminal.

5. On March 2, 2011, SCF filed a Petition for Review and Motion to Stay the Effectiveness of Certain Contested Permit Conditions with the Illinois Pollution Control Board seeking review of the Construction Permit.

6. After filing the Petition, representatives of SCF participated in discussions with representatives of Illinois EPA regarding the Construction Permit. As a result of those discussions, Illinois EPA issued a "Construction Permit – Revised" on January 26, 2012 ("Revised Construction Permit").

7. The Revised Construction Permit addresses the concerns SCF had with regard to the Construction Permit issued to it by Illinois EPA on January 27, 2011.

WHEREFORE, for the reasons described herein, Petitioner BUNGE-SCF GRAIN, LLC, respectfully asks that the Illinois Pollution Control Board grant this Motion and issue an Order finding SCF's Petition for Review in this matter withdrawn as of the date of this Motion.

Respectfully submitted,

BUNGE-SCF GRAIN, LLC,  
Petitioner,

By: /s/ Lauren C. Lurkins  
One of Its Attorneys

Dated: February 10, 2012

Katherine D. Hodge  
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BUNG:022/Fil/Motion to Withdraw Petition for Review